

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

ANDREW ROSS and SUSAN GERARD,

Plaintiffs,

vs.

HECTOR BALDERAS, JR., ROBERT
GARCIA, SARAH MICHAEL
SINGLETON, FRANCIS J. MATHEW,
RAYMOND Z. ORTIZ, DAVID K.
THOMPSON, JENNIFER ATTREP, T.
GLENN ELLINGTON, SYLVIA
LAMAR, DONITA OLYMPIA SENA,
DONNA BEVACQUA-YOUNG, PAT
CASADOS, FRANK SEDILLO,
WILLIAM PACHECO, ANTONIO
GUTIERREZ, ANNA MONTOYA,
JUDAH BEN MONTANO, A. ARROYO,
E. MONTIJO, MICHELLE PORTILLO,
STEPHEN T. PACHECO, JANE
GAGNE, JOYCE BUSTOS, LYNN
PICKARD, PAMELA REYNOLDS,
ROBIN MARTINEZ, ROBERT
RICHARDS, BRENDA WALL,
AUDREY MONTOYA, and ALLSTATE
INSURANCE, INC.,

Defendants.

PAMELA REYNOLDS and ROBERT
RICHARDS,

Counter-Claimants,

vs.

No. 1:16-cv-01121 PJK/SMV

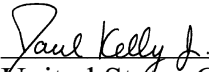
ANDREW ROSS and SUSAN GERARD,
Counter-Defendants.

ORDER DISMISSING COUNTERCLAIM WITHOUT PREJUDICE

THIS MATTER came on for consideration sua sponte, and the court, having dismissed the Plaintiffs' federal claims, declines to exercise supplemental jurisdiction over Defendant Richards' state-law counterclaim for harassment. Doc. 45 at 2; see 28 U.S.C. § 1367(c)(3); Exum v. U.S. Olympic Comm., 389 F.3d 1130, 1138 (10th Cir. 2004) (dismissing counterclaims after federal claims dismissed before trial). The counterclaim will be dismissed without prejudice.

NOW, THEREFORE, IT IS ORDERED that Defendant Richards' state-law counterclaim is dismissed without prejudice.

DATED this 18th day of April 2017, at Santa Fe, New Mexico.


United States Circuit Judge
Sitting by Designation

Counsel:

Arash "Asher" Kashanian, Albuquerque, New Mexico, for Plaintiffs.

Robert Richards, Santa Fe, New Mexico, pro se.